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THE SOCIAL SECURITY (BENEFITS) (MATERNITY)  
REGULATIONS

Arrangement of Regulations  
Regulation

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S.R.O. 43/1973.  
S.R.O. 32/1978.  
S.R.O. 33/1978.  
S.I. 26/1986.

THE SOCIAL SECURITY (BENEFITS) (MATERNITY)  
REGULATIONS, MADE UNDER SECTIONS 29,  
30 AND 31 OF THE SOCIAL SECURITY ACT.

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**Citation.**

**1.** These regulations may be cited as the Social Security (Benefits) (Maternity) Regulations.

**Interpretation.**

**2.** In these regulations, unless the context otherwise requires—

“average insurable weekly earnings” means the sum of insurable earnings on which contributions are based, paid in the fifty-two weeks immediately preceding the maternity allowance period divided by the number of weeks in that period of fifty-two weeks in respect of which contributions have been paid;

“confinement” means labour resulting in the issue of a living child or labour after twenty-eight weeks of pregnancy resulting in the issue of a child whether alive or dead; and

“registered” means registered under the Medical Act or the Midwifery Act as the case may be.

3. Any notice, application, card or other document which is authorised or required to be given, presented, issued or delivered under these regulations may be sent by pre-paid post. Notices, etc. may be sent by post.

4. Subject to the provisions of these regulations, maternity benefit shall be granted in the case of the pregnancy of a woman who is an insured person or the wife of an insured person. Entitlement.

5. Maternity benefit shall consist of— Types of Maternity benefit.

- (a) maternity grant;
- (b) maternity allowance; or
- (c) both.

6. A woman shall be entitled to a maternity grant if she has been confined and— Maternity grant.

(a) she or her husband has paid twenty-six weekly contributions, or the monthly equivalent thereof, since his or her entry into insurance and that person had paid twenty-six weekly contributions or the monthly equivalent thereof in the year immediately preceding the confinement.

Provided that for the purposes of this paragraph periods in that year for which benefits have been paid

to that person shall be treated as periods of insurance for which contributions have been paid; or

(b) satisfies the contribution conditions for maternity allowance.

**Multiple births.**

**7.** When a woman is confined of twins or a greater number of children she shall, if the other conditions for the payment of a maternity grant are satisfied, in respect of the confinement be entitled to a maternity grant for each of them.

**Rate of maternity grant.**

**8.** A maternity grant in the sum of sixty dollars shall be payable in respect of each child of each confinement.

**Maternity allowance.**

**9.** Maternity allowance shall be payable only if the woman has paid contributions for not less than twenty-six weeks in the fifty-two weeks immediately preceding the contribution week in which occurs the day which is six weeks before the expected date of confinement or in which occurs the day from which the benefits is claimed whichever is later.

**Duration.**

**10.** Subject to these regulations, maternity allowance shall be granted to a woman for a period starting from a date not earlier than six weeks and not later than the week in which her confinement occurs and continuing until the expiration of a maximum of 13 weeks from the week the benefit started; but the allowance shall not be paid for Sundays and sickness benefit shall not be payable for the period commencing six weeks before the week of confinement.

**Rate of maternity allowance.**

**11.** The daily rate of maternity allowance shall be sixty per centum of the average insurable weekly earnings of the insured person divided by six.

**Claims.**

**12.** Claims for maternity benefit shall be made in the form prescribed by the Director and shall be accompanied—

(a) in the case of claims made prior to confinement, by a certificate issued by a registered medical practitioner or a registered midwife as to the expected date of confinement; and

(b) in the case of claims made subsequent to the date of confinement, by a certificate issued by a

registered medical practitioner or a registered midwife as to the actual date of confinement:

Provided that the Director may accept such other evidence in support of such claims as in his opinion the special circumstances of the particular case so justify.

**13.** A woman who has been granted maternity benefit shall, as soon as possible after her confinement, where this has not already been done in accordance with regulation 12 obtain a certificate of her confinement from the registered medical practitioner or registered midwife who assisted thereat, and forward it to the Director within three weeks after the date of confinement:

Certificate of confinement.

Provided that the Director may accept other evidence in lieu of such certificate if, in his opinion, the special circumstances of any particular case so justify.

**14.** A woman entitled to payment of maternity allowance shall be disqualified from receiving such benefit for such period as the Director may decide if during the period for which benefit is payable—

Disqualification for maternity allowance.

(a) she engages in work for which remuneration is or would ordinarily be payable;

(b) she fails without good cause to take due care of her health, or to answer any reasonable inquiries by any duly authorised officer of the Board; or

(c) she fails without good cause to comply with a notice in writing by the Director requiring her to attend for and submit herself to medical or other examination.

**15.** The Social Security (Benefits) (Sickness) Regulations shall apply in relation to a case where there is incapacity for work arising from pathological complications of confinement immediately following the cessation of rights to maternity benefit:

Incapacity for work arising from complications of confinement.

Provided that in such case those provisions shall be applied in relation to the period immediately preceding the first day as from which maternity benefit was payable.